

IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Oz CABIRI, et al.

Serial No.: 10/747,649

Filed: December 30, 2003

For: GASTROINTESTINAL SYSTEM WITH
TRACTION MEMBER



) Art Unit: (N/A)

) Examiner: (N/A)

) Washington, D.C.

) March 9, 2005

) Docket No.: A-9151

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:

(Check one of the boxes A-D)

A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

B. before the mailing date of a first office action on the merits.

C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

(check one of the boxes "i" and "ii" below:)

i. Counsel certifies that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

ii. A check for the fee set forth in 1.17(p), presently believed to be \$240, is enclosed (check no. _____).

D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. A check for the fee set forth in §1.17(i), presently believed to be \$130 is enclosed (check no. _____). Counsel certifies that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate.)

A. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.

B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

[insert serial numbers and filing dates of prior applications]

Applicant identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

3. Document _____ is not in the English language. In accordance with 1.98(c), Applicant states:

- An English translation of each document _____ (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.
- A concise explanation of the relevance of document _____ is found in the attached International Search Report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).
- A concise explanation of the relevance of document(s) _____ is set forth as follows:
[Insert concise explanation of relevance]
- A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
- A concise explanation of document(s) _____ can be found on the attached sheet.

4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

5. Other information being provided for the examiner's consideration follows:

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

Respectfully submitted,

Martin P. Hoffman
Reg. 22,261

March 22, 2005

FORM PTO-1449 (Colb) <i>MAR 23 2005</i> U.S. TRADEMARK OFFICE		ATTY DOCKET NO. A-9151	SERIAL NUMBER 10/747,649
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT		APPLICANT Oz CABIRI, et al.	EXAMINER (N/A)
		FILING DATE December 30, 2003	GROUP ART UNIT (N/A)

U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	4,040,413	08-1977	Ohshiro			
	AB	4,077,610	03-1978	Masuda			
	AC	4,530,698	07-1985	Goldstein, et al.			
	AD	4,971,034	11-1990	Doi, et al.			
	AE	4,976,524	12-1990	Chiba			
	AF	5,398,670	03-1995	Ortiz, et al.			
	AG	5,604,531	02-1997	Iddan, et al.			
	AH	6,028,719	02-2000	Beckstead, et al.			
	AI	6,157,018	12-2000	Ishiguro, et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AJ	WO 01/68540		WIPO			
	AK	WO 02/059676		WIPO			

OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

AL		
AM		
EXAMINER:	DATE CONSIDERED:	
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

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U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	6,333,826	12-2001	Charles			
	AB	6,341,044	01-2202	Driscoll, Jr. et al.			
	AC	6,356,296	03-2002	Driscoll, Jr. et al.			
	AD	6,373,642	04-2002	Wallerstein, et al.			
	AE	6,388,820	05-2002	Wallerstein, et al.			
	AF	6,424,377	07-2002	Driscoll, Jr. et al.			
	AG	6,449,103	09-2002	Charles			
	AH	6,459,451	10-2002	Driscoll, Jr. et al.			
	AI	6,493,032	10-2002	Wallerstein, et al.			
	AJ	6,503,192	01-2003	Ouchi			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AK	WO 02/075348		WIPO			
	AL	WO 03/026272		WIPO			

OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

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U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	6,517,477	02-2003	Wendlandt			
	AB	6,527,705	03-2003	Ouchi			
	AC	6,597,520	07-2003	Wallerstein, et al.			
	AD	6,611,282	08-2003	Trubko, et al.			
	AE	6,695,771	02-2004	Takada			
	AF	6,702,734	03-2004	Kim, et al.			
	AG	6,704,148	03-2004	Kumata			
	AH	6,764,441	07-2004	Chiel, et al.			
	AI	6,786,864	09-2004	Matsuura, et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AJ	WO 03/045487		WIPO			
	AK	WO 03/046830		WIPO			

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Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	6,827,718	12-2004	Hutchins, et al.			
	AB	6,837,846	01-2005	Jaffe, et al.			
	AC	2002/0012059	01-2002	Wallerstein, et al.			
	AD	2002/0109772	08-2002	Kuriyama, et al.			
	AE	2002/0109773	08-2002	Kuriyama, et al.			
	AF	2003/0000526	01-2003	Gobel			
	AG	2003/0074015	04-2003	Nakao			
	AH	2003/0083547	05-2003	Hamilton, et al.			
	AI	2003/0191369	10-2003	Arai, et al.			
	AJ	2003/0225433	12-2003	Nakao			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AK	WO 03/053225		WIPO			
	AL	WO 04/069057		WIPO			

OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

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	AA	2004/0004836	01-2004	Dubuc			
	AB	2004/0111010	06-2004	Nishiie			
	AC	2004/0199196	10-2004	Ravo			
	AD	2004/0204702	10-2004	Ziegler, et al.			
	AE	2004/0249247	12-2004	Iddan			
	AF	2004/0260150	12-2004	Bernstein			
	AG						
	AH						
	AI						
	AJ						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AK	WO 04/010858		WIPO			
	AL						

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